UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

CONTIMORTGAGE CORPORATION,

Plaintiff,

-against-

JUDGMENT 97-CV-5149 (RJD)

STEWART TITLE INSURANCE COMPANY,

Defendant.

A memorandum and order of the Honorable Raymond J. Dearie, United States District Judge, having been filed on October 8, 1998, granting the defendant's motion to dismiss the claims pursuant to Fed. R. Civ. P. 12(b)(6); it is

ORDERED and ADJUDGED that the plaintiff take nothing of the defendant; and, that defendant's motion to dismiss the claims is granted.

Dated: Brooklyn, New York October 13, 1998

> ROBERT C. HEINEMANN Clerk of Court

> > (c/m)